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VIA ELECTRONIC MAIL & EXPRESS MAIL

Leslie Blake, Remedial Project Manager
U.S. Environmental Protection Agency — Region 5
Superfund Division (SR-6J)
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

**Re: Gary Development Landfill Special Notice Letter Dated February 25, 2013 From Joan Tanaka,
EPA Region 5, to "PRP List"- Request for Additional Time Extension**

Dear Ms. Blake:

By letter of April 24, 2013, the ten cooperating Gary Development Landfill Notice Companies requested an extension of time to respond to the EPA Region 5 Special Notice Letter of February 25, 2013 with a good faith offer to conduct the Remedial Investigation/Facility Study for the Site. Since that request General Notice Letter Recipient 3M Company has joined the cooperating companies, list below. By Letter of April 26, 2013, Ms. Joan Tanaka of your office granted a 60 day time extension to June 24, 2013. Despite diligent efforts the cooperating Notice Companies require more time to respond.

As we previously reported, we have retained History Associates, Inc., to conduct a search for additional potentially responsible parties. History Associates expects to give us its final report by June 21. Only recently have some of the historic records become available, for instance we just received from Region 5 a CD of the records from the Federal Records Center on the 1986 RCRA Enforcement Action "IN THE MATTER OF Gary Development Company, Respondent, Docket No. RCRA-V-W-86-R-45" against GDL for accepting hazardous wastes and failing to comply with Interim Status requirements. There also was a trove of documents in the files at the law firm of Barnes & Thornburg from the late 1970s to early 1980s when that firm represented GDL that we recently have secured. History Associates now is seeking a review of microfiche files at IDEM that may contain manifests.

We also have come to understand that the wastes from at least 3 Superfund sites were directed to GDL: American Chemical Service, USS Lead and Conservation Chemical Company. These sites hold the potential for many new parties.

- The June 24, 1994 draft Contract Evidence Audit Team Report prepared for EPA for the ACS site lists some 1983 entities that directed waste to that site. Counsel for ACS indicates waste residues from ACS from 1975 or 1976 through most of 1981 went to GDL. The CEAT lists 220 entities whose waste were sent through ACS to GDL during that time.

- The USS Lead Final Waste Transaction Summary Report of March 24, 1993 prepared by TechLaw for EPA lists 225 entities, we have copies of manifests indicating volumes of waste from USS Lead to GDL in 1980 to 1983. Referring to those manifests, By Letter of October 27, 1986, EPA concluded USS Lead sent to GDL 762,480 gallons of lead bearing sludge, 880 cubic yards of lead bearing battery chips, and 220 cubic yards of reverb slag during that time period. Most likely USS Lead used GDL before RCRA manifests first were required in November 1980.
- The Generator Ranking Summary Report of January 9, 1996 attached to the 1996 Administrative Order on Consent for the Conservation Chemical Company of Illinois , Gary, Indiana, Site lists 224 entities. There were shipments of sludge from Conservation Chemical to GDL in at least 1975 according to the October 14,1996 GDL Chronology prepared by IDEM, we still are searching for the background documents that were the basis for the Chronology.

Though it will be will a challenging process, we will be exploring how to incorporate these entities into a cooperating group.

We have commenced the process of seeking a technical consultant to conduct the studies. We have narrowed the list of candidates, we plan to issue requests for proposals the end of June, receive responses and make our selection in July. We then will need to work with the consultant on the site history, scope or the work, and costs, and hope to be in a position to respond to the Notice Letter in early September. We understand EPA intends to decide by the end of September whether the studies will be conducted by the parties, or EPA itself will conduct the studies.

We thus make a request to respond to the Special Notice Letter no later than September 9, 2013.

Sincerely,



Bernard Reilly
Corporate Counsel

Gary Development Landfill Cooperating Notice Companies

3M Company (General Notice Company Only)
American Chemical Service, Inc.
Ashland Inc. (General Notice Company Only)
Borg Warner Transmission Systems, Inc.
BP Products North America Inc.
Brandenburg Industrial Service Company
E. I. du Pont de Nemours and Company (DuPont Company)
Georgia-Pacific LLC
Legacy Vulcan Corp., f/k/a Vulcan Materials Company
Union Carbide Corporation
Waste Management of Indiana, LLC

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